

Prob12C
DMA (3/2005)

**United States District Court
for the District of Massachusetts
Petition and Affidavit for Warrant or Summons for Offender Under Supervision**

Name of Offender: Naysaan Austin	Case Number: 0101: 1:19-CR-10373-PBS-1
Name of Sentencing Judicial Officer:	Honorable Patti B. Saris, U.S. District Judge
Date of Original Sentence:	11/12/2020
Original Offense:	Felon in Possession of Firearm & Ammunition, in violation of 18 U.S.C. §922(g)(1).
Original Sentence:	66 months of custody followed by 12 months supervised release
Type of Supervision: Term of Supervised Release	Date Supervision Commenced: 7/11/2024
Asst. U.S. Attorney: John T. Mulcahy	Defense Attorney: Julie Ann Olson

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

- I. **Violation Of Mandatory Condition #1:** You must not commit another federal, state, or local crime.

On December 23, 2024, there was a police response to an Assault and Battery with a Dangerous Weapon incident. Mr. Austin was not arrested as he was not present at the scene. Mr. Austin was subsequently charged with Assault and Battery with Dangerous Weapon, serious bodily injury.

On January 9, 2025, an arrest warrant for Assault and Battery with a Dangerous Weapon was filed out of Dorchester District Court and a straight warrant was issued for Mr. Austin on January 9, 2025. The conduct relative to the warrant occurred on December 23, 2024.

On January 13, 2025, Mr. Austin walked into Boston Police Department to turn himself in and was subsequently placed into custody. On January 13, 2025, Mr. Austin was arraigned at Dorchester District Court and released on personal recognizance. Dorchester District Court issued a no contact/stay away and no abuse order.

Evidence in support of this violation is incident report #242108027, supplemental report #242108027, and modifying supplement report #242108027.

- II. **Violation of Standard Condition of Supervision #9:** If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.

On 1/7/2025, the Probation Office learned that Mr. Austin had encountered police for loitering at South Station. Mr. Austin failed to report this law enforcement contact.

Evidence in support of this violation is officer testimony.

- III. **Violation of Standard Condition of Supervision #8:** The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

As noted in Violation II, Mr. Austin encountered law enforcement on 1/7/2025. At the time of the encounter, he was associating with Abdikadir Mohamud and Luis Morales Monzon, both whom are individuals that have a lengthy criminal background. At no time prior to this interaction had Mr. Austin sought permission to associate with these parties.

Evidence in support of this violation is Boston Police FIO report.

- IV. **Violation of Mandatory Condition #3:** You shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed 104 tests per year, as directed by the probation officer.

On 7/12/2024, Mr. Austin submitted a urine sample that tested positive for THC. Mr. Austin admitted to marijuana use.

On 10/24/2024, Mr. Austin submitted a urine sample that tested positive for THC. Mr. Austin admitted to marijuana use.

On 12/18/2024, Mr. Austin submitted a urine sample that tested positive for THC. Mr. Austin admitted to marijuana use.

On 1/15/2025, Mr. Austin submitted a urine sample that tested positive for THC and cocaine. Mr. Austin admitted to marijuana use but denied cocaine use; however, the sample has been sent to the National Laboratory for further testing.

Evidence in support of this violation includes officer testimony and local laboratory reports.

U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☒ Revoked
- ☐ Extended for year(s), for a total term of years.
- ☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Reviewed and Approved
by:

Respectfully submitted,

/s/ Christopher Foster

Christopher Foster
Supervisory U.S.
Probation Officer

/s/ Jessica Gomes

Jessica Gomes
U.S. Probation Officer
Date: 01/16/2025

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

Honorable Patti B. Saris
U.S. District Judge

Date: